

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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JIMI ROSE, <i>et al.</i>	:	
Plaintiffs,	:	
	:	
v.	:	Civil No. 5:21-cv-04946-JMG
	:	
ED PAWLOWSKI, <i>et al.</i> ,	:	
Defendants.	:	

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**ORDER**

**AND NOW**, this 27<sup>th</sup> day of February, 2023, upon consideration of Defendant Allentown Parks & Recreation's Motion to Dismiss Plaintiffs' Jimi Rose, Jalil Rasheed, Marcus A. Henry, Jr., and, Latoya McPherson's Complaint (ECF No. 27) and Defendants' Allentown City Council, Allentown Planning and Zoning, City of Allentown, Candida Affa, Ce-Ce Gerlach, Daryl Hendricks, Cynthis Mota Edward Zucal, Joshua Siegal, Karen El-Chaar, Irene Woodward, and Bina Patel's Motion to Dismiss Plaintiffs' Complaint (ECF No. 47), as well as Plaintiffs' responses thereto (ECF Nos. 46, 53, 54), and for the reasons set forth in the accompanying Memorandum Opinion issued this date, **IT IS HEREBY ORDERED** that Defendants' Motions (ECF Nos. 27 and 47) are **GRANTED** as follows:

1. Plaintiffs' Claims against all Individual Defendants are **DISMISSED WITH PREJUDICE**. The Clerk of Court is **DIRECTED** to remove the following Defendants: Ed Pawlowski, Bina Patel, Julio A. Guridy, Cynthia Mota, Candida Affa, Cecilia Ce-Ce Gerlach, Joshua Siegel, Daryl L. Hendricks, Ed Zucal, Irene Woodward, and Karen El-Chaar. These Individual Defendants are **TERMINATED** as parties to this action.

2. Plaintiffs' Claims against all remaining Defendants, Government Entity Defendants<sup>1</sup> are **DISMISSED WITHOUT PREJUDICE**.

3. **On or before Thursday, April 13, 2023**, or forty-five (45) days from entry of this Order, Plaintiffs may file an amended complaint against the City of Allentown, Allentown City Counsel, Allentown Bureau of Planning and Zoning, and Allentown Parks & Recreation in accordance with the Memorandum Opinion issued this date. If Plaintiffs fail to timely file an amended complaint, all claims will be dismissed with prejudice and the case will be closed.

BY THE COURT:

/s/ John M. Gallagher

JOHN M. GALLAGHER

United States District Court Judge

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<sup>1</sup> "Government Entity Defendants" consist of the following Defendants: City of Allentown, Allentown City Counsel, Allentown Bureau of Planning and Zoning, and Allentown Parks & Recreation.